

**Notice of Allowability**

Application No.

09/609,907

Examiner

THUAN T. NGUYEN

Applicant(s)

HILLER ET AL.

Art Unit

2685

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--*

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to \_\_\_\_.
2.  The allowed claim(s) is/are 1-14.
3.  The drawings filed on \_\_\_\_ are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some\*    c)  None    of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached  
1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date attached herein.
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_.
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_.

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claims 1-14 are allowed.

### ***Drawings***

2. New formal drawings in compliance with 37 CFR 1.121(d) are required in this application because claims are now allowed.

### ***Reasons for Allowance***

3. The following is an examiner's statement of reasons for allowance:

The closest prior art of record issued to Fong and Abrol fails to teach or suggest a communication system comprising at least two wireless service areas and the establishing of plural communications channels via a common RF link between a mobile node and a network controlling element having an interface to a respective data network gateway, *wherein the connection is arranged between the mobile node and the network controlling element at a second service area, with a first of the plural channels being arranged for connection to the data network gateway interface for that second service area and a second of the plural channels being arranged for connection, via the communication path maintained between the first service area and the second service area to the, to the data network gateway interface for the first service area* as cited in claims 1 and 14.

In other words, the invention provides a solution to the problem of data loss occurring at such a transfer of the data communications link from a first to a second wireless service area, and does so using the existing MN architecture and consistent with current standards. In particular,

the Applicants recognized that an MN can maintain plural communication paths using the Radio Link Protocol (RLP), and that this capability can be advantageously applied to provide data connectivity from an MN to multiple service areas. Using that RLP capability, the Applicants devised a new network interface that can be implemented at a service-area network controlling element to permit the MN to maintain separate RLP instances (channels) with (1) network controlling element for the service-area to which the MN is moving and (2) with the network controlling element in the initial service area. Thus, with the network interface of the invention, the MN is thereby able to maintain simultaneous connections with both the PDSN associated with the initial service area and with the PDSN for the service area to which it is moving.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

*Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Dynarski et al. (PTO 892 attached) disclose wireless mobile communication systems related to dynamic allocation of mobile nodes.

5. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 872-9306, (for Technology Center 2600 only)

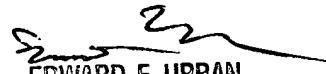
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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tony Thuan Nguyen whose telephone number is (571) 272-7895. The examiner can normally be reached on Monday-Friday from 9:30 AM to 7:00 PM, with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (571) 272-7899.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tony T. Nguyen  
Art Unit 2685  
May 12, 2005

  
EDWARD F. URBAN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600